

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

DENISE MCKEOWN and ROBERT LUTTS

*Plaintiffs*

v.

ADVEST, INC., et. al.

*Defendants*

Civil Action No.: 05-10176-RGS

Consolidated With

T. ROWE PRICE TAX-FREE HIGH YIELD  
FUND, INC. et al.

*Plaintiffs,*

v.

KAREN M. SUGHRUE, et. al.,

*Defendants.*

Civil Action No.: 04-11667 RGS

**NOTICE OF APPEAL**

Pursuant to Fed.R.App.P. 3, Plaintiffs T. Rowe Price Tax-Free High Yield Fund, Inc., Smith Barney Income Funds/Smith Barney Municipal High Income Fund, Dryden National Municipals Fund, Inc., Lois and John Moore, and ACA Financial Guaranty Corporation (collectively, “Plaintiffs”) hereby jointly appeal to the United States Court of Appeal for the First Circuit the order of dismissal entered October 5, 2006 in the above captioned case by the District Court, and the order, entered on December 29, 2006, denying Plaintiffs’ Motion to Vacate Dismissal and Plaintiffs’ Motion for Leave to File a Second Amended Complaint.

By their attorneys,

**T. ROWE PRICE TAX-FREE HIGH  
YIELD FUND, INC., SMITH BARNEY  
INCOME FUNDS/SMITH BARNEY  
MUNICIPAL HIGH INCOME FUND,  
DRYDEN NATIONAL MUNICIPALS  
FUND, INC., LOIS and JOHN MOORE,  
and ACA FINANCIAL GUARANTY  
CORPORATION**

/s/ Michael Tabb

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Date: January 27, 2007

Certificate of Service

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on October 20, 2006

/s/ Michael Tabb